



# County of San Diego

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September 14, 2015

John and Polly Savage  
365 Rancho Vista Place  
Vista, CA 92083

**PROJECT NAME:** Savage Tentative Parcel Map (TPM)

**RECORD ID:** PDS2015-TPM-21221

**ENVIRONMENTAL LOG NO.:** PDS2015-ER-15-08-004

**PROJECT ADDRESS:** Intersection of Greenbush Lane and Monte Vista Drive; North County Metropolitan Subregional Plan Area

**APN:** 181-121-20

**TRUST ACCOUNT NO.:** 2033951-D-03227

**RE: APPLICATION AMENDMENT FORM/ADMINISTRATIVE FEE/DOCUMENT REQUEST**

Dear Mr. and Mrs. Savage:

Planning & Development Services (PDS) has completed the review of your Application for a Tentative Parcel Map and have found it to be adequate. However, prior to drafting the decision of the Tentative Map which will include conditions that will need to be satisfied for your project, we request your concurrence with the project conditions. Please review the attached Application Amendment Form and, if you concur with the conditions, sign and return the original as soon as possible. It is recommended that you review these conditions closely as they cannot be changed after project approval. Your concurrence is being requested so that we may move forward with processing a CEQA Exemption for your project.

**NOTE: We strongly suggest that you review these measures carefully because changing them later may result in substantial costs and delays in the processing of your project.**

## **DEPARTMENT RECOMMENDATION**

Comments and information in this letter, or lack thereof, should not be construed as the Department implying an overall recommendation or decision on your project. Planning & Development Services generally makes a final recommendation or decision to approve or deny a project when all planning analysis and environmental documentation is complete.

**ESTIMATE OF DISCRETIONARY PROCESSING TIME AND COSTS**

Your original discretionary processing cost estimate was \$25,074. Based on your current point in progress, your project is currently on schedule and within the projected budget.

**MINOR COMMENTS**

The following minor comments are required to be satisfied prior to decision of the Tentative Parcel Map.

1. On the Tentative Parcel Map, please ensure that a "Noise Restriction Easement" is labeled and shown over the entire site.
2. The Drainage Study needs to be updated to show how the proposed fill slope will affect the water surface elevation of the existing 100 year flood plain, and provide mitigation; or comply with comment 3 below.
3. PGP shows proposed fill slope encroaching into the limits of the existing 100 Year Flood plain. Revise the PGP to remove the fill slope from the 100 Year flood plain or comply with comment 2 above.
4. Show the off-site lines of inundation for the 100-year flood west of the property boundary line.

PDS will also need copies of documents for distribution during public review. The documents needed and the numbers of copies/exhibits required are listed in the "SUBMITTAL REQUIREMENTS" section, below.

Your project has been determined to be exempt from the California Environmental Quality Act (CEQA) and a Notice of Exemption (NOE) must be filed at project approval. A County administrative fee of \$50 dollars must be paid at the time of filing a NOE. The filing of a Notice of Exemption allows a project to be challenged for a period of 35 days. However, if the Notice of Exemption is not filed, this period is extended to 180 days. If the County Administrative Fee is not paid, the Notice of Exemption will not be filed. **Payment can be submitted to the cashier at the PDS office or directly to the County Clerk.**

If you have any specific questions regarding the above or want to request any modifications to the mitigation requirements, please contact Benjamin Mills, me at (858) 495-5234 or e-mail at Benjamin.Mills@sdcounty.ca.gov.

**SUBMITTAL REQUIREMENTS**

Unless other agreements have been made with County staff, you must submit all of the following items concurrently and by the submittal date listed below in order to make adequate progress and to minimize the time and costs in the processing of your application. The submittal must be made to the PDS Zoning Counter at 5510 Overland Avenue, Suite 110, San Diego, CA 92123. For fastest service when submitting information requested in this letter, arrive at the PDS Zoning Counter between 8:00 a.m. and 10:00 a.m. Please note that all PDS

Counters are closed daily from 11:45 a.m. through 12:30 p.m. Expect longer wait times before and after the lunchtime closure.

The submittal must include the following items:

1. A copy of this letter.
2. The following information and/or document(s) with the requested number of copies as specified. Any maps or figures associated with a study must not exceed 11" x 17" (maximum). **The Project Number and Environmental Log Number must be clearly and visibly labeled on all submitted documents.**

Information/Document	# of Copies	Electronic Copy on CD/USB Drive	Lead Review/Section or Dept (For Admin Purposes Only)
<b>Note: All PDF files have to be unlocked.</b>			
Tentative Parcel Map (with noise restriction easement and updated lines of inundation)	6	PDF	Mills (4), Aquino (1), LD (1)  Business Rule: Tentative Parcel Map
Proof of payment (i.e., receipt) of Administrative Fee (Must pay fees by certified check or cashier's check to the Cashier)	1		Mills (1)  Business Rule: Administrative Fee
Application Amendment Form signed and dated.	1	PDF	Mills (1)  Business Rule: Application Amendment Form

**SUBMITTAL DUE DATE:** The Department requires that the Application Amendment Form (copies of documents and proof of payment of the Department of Fish and Wildlife fees) requested in this letter be submitted by October 14, 2015. An extension of this date may be granted by the Director of Planning & Development Services upon submittal of a written request, signed and dated by the project applicant. The request must include the proposed revised timelines and a brief reasoning for the extension request.

The Department's goal is to help facilitate the efficient and timely processing of each application. If, however, a project becomes delayed due to excessive project inactivity, Board Policy I-137 will apply; please refer to the Board Policy I-137 at <http://www.co.san-diego.ca.us/cob/docs/policy/I-137.pdf> and the FAQ sheet at <http://www.sdcountry.ca.gov/luegdocs/PDS%20FORMS/Cover%20Sheets/Zoning%20Forms/PDS-907,%20processing%20inactive,%20deficit%20projects.pdf> for the Processing of Inactive and Deficit Projects.

If you have any questions or need additional information, please contact me at (858) 495-5234 or by e-mail at Benjamin.Mills@sdcounty.ca.gov.

Sincerely,



Benjamin Mills, Project Manager  
Project Planning Division

MW:MF:bm

cc: David Lowen, ACAL Engineering, 145 North Melrose Drive, #200, Vista, CA 92083

email cc:

Benjamin Mills, Project Manager, Project Planning, PDS

Mindy Fogg, Planning Manager, Project Planning, PDS

Ken Brazell, Team Leader, Land Development/Engineering, PDS

## APPLICATION AMENDMENT FORM

**PROJECT NAME:** Savage Tentative Parcel Map

**CASE NUMBERS:** PDS2015-TPM-21221

I would like to amend my application for the above-listed project to include as part of the project proposal the following conditions of approval:

**APPROVAL OF MAP:** THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY PDS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (Where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

**ANY PERMIT:** *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

### **1. GEN#1–COST RECOVERY**

**INTENT:** In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

### **2. BIO#1–OFFSITE MITIGATION [PDS, FEE X2]**

**INTENT:** In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to [Biological Mitigation Ordinance \(BMO\)](#), [Resource Protection Ordinance \(RPO\)](#), off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.7 acres of non-native grassland, located in North San Diego County as indicated below.

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in North San Diego County as indicated below:
1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].
  2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
  3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
  4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
  5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

**GRADING PERMIT:** *(Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits).*

### 3. PLN#1–PLAN CONFORMANCE

**INTENT:** In order to implement the required mitigation measures for the project, the required Grading Plans shall conform to the approved Conceptual Grading and Development Plan pursuant to [Section 87.207 of the County Grading Ordinance](#). **DESCRIPTION OF REQUIREMENT:** The Grading Plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measure: noise restriction easement. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, DPR, TC, or PDS, BD for Minor Grading] shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

**ONGOING:** *(Upon establishment of use the following conditions shall apply during the term of this permit).*

#### **4. ROADS#1–PRIVATE ROAD MAINTENANCE**

**INTENT:** In order to ensure that the off-site private roads are maintained and not damaged during construction, the applicant shall assume responsibility.

**DESCRIPTION OF REQUIREMENT:** The applicant is responsible for maintenance and repair, in case of damage caused by this project to the on-site and off-site private roads that serve the property during either construction or subsequent operations.

**DOCUMENTATION:** The applicant shall assume responsibility pursuant to this condition. **TIMING:** Upon establishment of use, the following conditions shall apply during the term of this permit. **MONITORING:** *The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.*

#### **5. CULT#1- ARCHAEOLOGICAL MONITORING**

**INTENT:** In order to mitigate for potential impacts to undiscovered buried archaeological resources, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA).

**DESCRIPTION OF REQUIREMENT:** A County Approved Archaeologist known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.



**DOCUMENTATION:** The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of the Parcel Map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **MONITORING:** [PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

**6. CULT#2 CULTURAL RESOURCES REPORT [PDS, FEE X2]**

**INTENT:** In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. DPR Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been curated and/or repatriated as follows:
  - (1) All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.
  - (2) Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form

of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to the [PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally-affiliated Tribe. **TIMING:** Prior to any occupancy or final grading release, the final report shall be prepared. **MONITORING:** The [PPD] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [PPD] shall inform [PPD] and [PPD], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

**7. NOISE#1–NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA] [DPLU, FEE X 1]**

**Intent:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element](#), and the [County of San Diego CEQA Noise Guidelines for Determining Significance](#), a noise restriction easement shall be placed over the entire area of Parcels 1, 2, 3 as shown on the Tentative Parcel Map 21221. This is to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Parcel Map 21221 shall be granted on the Parcel Map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60 dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by [the General Plan Noise Element](#).

1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for Monte Vista Drive, which is a designated General Plan Mobility Element buildout roadway classification.

- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [DPLU, BD] for review and approval before the building permits can be issued. To the satisfaction of the [DPLU, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

**Documentation:** The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **Timing:** Prior to the approval of the Parcel Map, the requirements of this condition shall be completed. **Monitoring:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

## 8. DRNG#1—LINES OF INUNDATION

**INTENT:** In order to prevent future development in the flood-prone areas the Lines of Inundation shall be shown on the map. **DESCRIPTION OF REQUIREMENT:** Lines of inundation to the limits of the 100-year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject To Inundation By The 100-Year Flood" on the Parcel Map.

- a. Each parcel shall have a flood free building site to the satisfaction of the Director of PDS. If any of the parcels are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of twenty five (25) or more acres.

**DOCUMENTATION:** The applicant shall indicate the lines of inundation on the non-title sheet of the Parcel Map as indicated above. **TIMING:** Prior to the approval of the Parcel Map, the inundation lines shall be indicated and labeled on

the map. **MONITORING:** The [PDS, LDR] shall verify that the inundation lines have been indicated pursuant to this condition.

#### 9. ROADS#2–SIGHT DISTANCE

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Table 5 of Section 6.1 of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified.

**DESCRIPTION OF REQUIREMENT:** A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is a minimum \_\_\_\_\_ feet of unobstructed intersectional sight distance in both directions from Greenbush Lane along Monte Vista Drive in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."

If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Parcel Map the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

#### 10. ROADS#3–PUBLIC ROAD CONNECTION: [PDS, LDR] [MA].

**INTENT:** In order to ensure that all parcels of the subdivision are connected to a publicly maintained road and to comply with the [County Subdivision Ordinance Section 81.702](#), documentation shall be provided.

**DESCRIPTION OF REQUIREMENT:** Documentation showing that all parcels of the land division are connected to a publicly maintained road by an easement for road purposes shall be provided. The easement shall be forty feet (40') wide as specified in [County Subdivision Ordinance Section 81.702](#), unless proof is furnished that a lesser width is applicable under [Section 81.702.e](#) of the County Code, and shall be for the benefit and use of the property being divided. Data for said easement shall be shown on the Parcel Map. This requirement applies to off-site access to all proposed parcels. **DOCUMENTATION:** The applicant shall submit to the [PDS,

*LDR*], proof that all parcels of the subdivision are/will be connected to a publicly maintained road, and indicate the access on the Parcel Map. **TIMING:** Prior to the approval of the Parcel Map, the connection shall be verified. **MONITORING:** The [*PDS, LDR*] shall verify that the evidence provided meets the requirement of this condition.

#### **11.ROADS#4–PRIVATE ROAD MAINTENANCE AGREEMENT: [PDS, LDR] [MA].**

**INTENT:** In order to ensure that the private road approved with this subdivision is maintained, the applicant shall assume responsibility of the private road.

**DESCRIPTION OF REQUIREMENT:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement.
- b. The Director of PDS shall be notified as to the final disposition of title (ownership) to the private easement road serving the land division, and place a note on the Parcel Map as to the final title status of said road.
- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

**DOCUMENTATION:** The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of PDS and indicate the ownership on the map as indicated above. **TIMING:** Prior to the approval of the map, the agreement shall be executed and the ownership shall be indicated on the map.

**MONITORING:** The [*PDS, LDR*] shall review the executed agreement and the map for compliance with this condition.

#### **12.ROADS#5–ANNEX TO LIGHTING DISTRICT**

**INTENT:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [County Subdivision Ordinance Sec. 81.707 and 81.708](#) the property shall transfer into the lighting district. **DESCRIPTION OF**

**REQUIREMENT:** Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [*PDS, LDR*].

**TIMING:** Prior to approval of the Parcel Map, the fee shall be paid.

**MONITORING:** The [*PDS, LDR*] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

**13. UTILITIES#1—UTILITY CONCURRENCE LETTERS: [PDS, LDR] [GP, IP,MA]**

**INTENT:** In order to provide adequate notice to the serving utility companies that the private easement road improvements are going to possibly affect their utilities, letters of concurrence shall be provided. **DESCRIPTION OF REQUIREMENT:** Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, letters shall be obtained from each serving utility company. The letters shall state that the arrangements are satisfactory to the utility for which the parcels being created serve. No letter will be required from the following: AT&T/SBC, Olivenhain Municipal Water District, Yucca Mutual Water Company, and the Rainbow Municipal Water District. **DOCUMENTATION:** The applicant shall obtain the letters and submit them to the [PDS, LDR] for review and approval. **TIMING:** Prior to the approval improvement plans and the approval of the Parcel Map, the letters shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the signed letters.

**14. UTILITIES#2—UTILITY CONCURRENCE LETTERS: [PDS, LDR] [GP, IP,MA]**

**INTENT:** In order to inform the local public entities and utility companies that the Parcel Map is going to be approved by the County, and to comply with Section 66436 of the Government Code, letters of concurrence for signature of on the map shall be provided. **DESCRIPTION OF REQUIREMENT:** A certification from each public utility and each public entity owning easements within the proposed land division shall be provided to the County. **DOCUMENTATION:** The applicant shall obtain the letters, which state that all public entities have received a copy of the proposed Parcel Map, and that they object or do not object to the filing of the Map without their signature. The applicant shall submit the letters to the [PDS, LDR] for review and approval. **TIMING:** Prior to the approval improvement plans and the approval of the Parcel Map, the letters shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the signed letters.

**PRIVATE IMPROVEMENTS:** *(The following Private Improvements shall be completed before the approval of the Parcel Map, or a covenant of improvements shall be executed and recorded).*

**15. ROADS#6—COVENANT OF IMPROVEMENTS: [PDS, LDR] [MA]**

**INTENT:** In order to allow the deferment of the private improvements required by [County Subdivision Ordinance Sec. 81.707 and 81.708](#), a covenant of improvements shall be executed and recorded if the private improvements listed in this decision are not completed before approval of the tentative Parcel Map. **DESCRIPTION OF REQUIREMENT:** The applicant shall complete all of the private improvements or execute a Covenant of improvements pursuant to the [County Subdivision Ordinance Section 81.708](#), which lists the conditions that remain to be completed. An improvement plan and cost estimate shall be

prepared for the private improvements and the estimated costs of the improvements shall be included in the Covenant. The Covenant shall be recorded and noted on the Parcel Map.

- a. Said Covenant shall be titled, "Covenant of Improvement Requirement, a Building Permit Prohibition." No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.708](#), except a grading or construction permit and/or permit to install utilities within a the private easement may be issued.
- b. For water storage facilities and or fuel breaks, a release of improvement requirements is only required to state that the improvements have been complied with for the particular parcel for which a building permit is being requested.

**DOCUMENTATION:** The applicant shall prepare the improvement plans and provide a cost estimate as indicated below:

- a. Improvement Plans with sufficient detail shall be prepared for the purposes of providing the required estimate of cost for the private improvements. The covenant shall note the estimate of cost to install and/or construct any deferred improvements. The estimate of costs shall be based upon the approved improvement plans.
- c. The plans shall include a signed statement by the private engineer-of-work which states, "The plans are sufficient for the purpose of providing the required estimate of the cost for the private easement roads, private facilities, and any other private improvements deemed necessary pursuant to the [County Subdivision Ordinance Section 81.707](#)."
- d. The estimate shall have the engineer's signature and stamp on the front page along with a statement that reads, "The estimate of the approximate costs as of the date the estimate was prepared for the private improvements required by the final notice of approval and the [San Diego County Standards for Private Roads](#)."

The applicant shall prepare the map with the covenant. The Covenant shall be placed on the face of the Parcel Map, and recorded with the map. **TIMING:** Prior to the approval of the Parcel Map, improvements shall be completed or the plans and the cost estimate shall be prepared, approved and the covenant prepared and recorded. **MONITORING:** The [PDS, LDR] shall verify that the cost estimate's validity, and that the plans can be approved, but shall stamped, "Not



approved for construction,” pursuant to this condition. The [PDS, LDR] Map Processing shall verify that the covenant is recorded on the map.

**16.ROADS#7–PRIVATE ROAD IMPROVEMENTS (COVENANT): [PDS, LDR]  
[MA]**

**INTENT:** In order to promote orderly development necessary for public health and safety of the area, and to comply with the [County Subdivision Ordinance Sec. 81.707 and 81.708](#), the required private improvements shall be completed or deferred. **DESCRIPTION OF REQUIREMENT:**

- a. The offset cul-de-sac, located in the vicinity of the most easterly portion of Parcel 3, shall be graded to a minimum radius of forty feet (40') and improved with asphalt concrete to a radius of thirty-six feet (36') to the satisfaction of the Vista Fire Protection District and the Director of PDS.
- b. The private easement road (Greenbush Lane), from the cul-de-sac northerly to Monte Vista Drive, shall be improved a minimum twenty-four feet (24') wide with asphalt concrete. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, any existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced to the satisfaction of the Director of PDS and the Vista Fire Protection District. The improvement and design standards of Section 3.1(C) of the [San Diego County Standards for Private Roads](#) for one hundred (100) or less trips shall apply.
- c. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.
- d. In the event these improvements are deferred, the subdivider shall execute such documents as deemed necessary by the County of San Diego, the Director of PDS, indemnifying the County from liability arising from the improvement of any off-site easement. This indemnification shall also be noted on the Parcel Map.
- e. [DPW, PDCI] shall be notified before any private road construction. Copies of the road plans shall be submitted and an inspection deposit shall be posted.
- f. The structural section for the private roads shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, before



construction activities commence pursuant to Section 3.11 of the San Diego County Standards for Private Roads.

**DOCUMENTATION:** The applicant shall complete the following:

- g. Process and obtain approval of the grading or Improvement Plans to improve the private easement roads, and provide the cost estimate. All plans and improvements shall be completed pursuant to the [San Diego County Standards for Private Roads](#) and the [Land Development Improvement Plan Checking Manual](#).
- h. The improvements shall be completed and a secured agreement shall be executed pursuant to [County Subdivision Ordinance Sec. 81.707 and 81.708](#), for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

**MAP TIMING:** Prior to approval and recordation of the Parcel Map, this requirement shall be completed or a recorded in the covenant of improvements.

**COVENANT TIMING:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of PDS pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans and cost estimate [PDS, LDR] shall have this condition placed in the covenant of improvements and recorded with the map.

**17.ROADS#8–PAVEMENT CUT POLICY: (DEFERRED) [PDS, LDR] [GP, IP,MA]**

**INTENT:** In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface.

**DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy to the satisfaction of the Department of PDS, and submit it to the [PDS LDR] for review. **MAP TIMING:** Prior to approval and recordation of the Parcel Map, this requirement shall be completed or recorded in the covenant of improvements. **COVENANT TIMING:** Prior to the approval of grading and improvement plans for the private easement

road, the letters shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the signed letters.

**18.ROADS#9–IMPROVEMENT CERTIFICATION: (DEFERRED) [PDS, LDR] [MA].**

**INTENT:** In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with County Subdivision Ordinance and County Private Road Standards, a letter of certification shall be provided. **DESCRIPTION OF REQUIREMENT:** The private easement road (Greenbush Lane), including all slopes and the cul-de-sac, from the vicinity of the most easterly portion of Parcel 3 northerly to Monte Vista Drive is constructed entirely within the easements, including drainage structures, for the benefit of the land division. If the slopes for the improvements fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits. **DOCUMENTATION:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **MAP TIMING:** Prior to approval and recordation of the Parcel Map, this requirement shall be completed or recorded in the covenant of improvements. **COVENANT TIMING:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of the Department of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **MONITORING:** The [PDS, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the Parcel Map. Upon completion of the improvements, the [PDS, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

The following Grading and or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits.

**PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS:** *(Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

**(CULTURAL RESOURCES)**

**CULT#GR-1 ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING [PDS, FEE X2]**

**INTENT:** In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented.

**DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Kumeyaay Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:**

The applicant shall have the contracted Project Archeologist and Kumeyaay Native American attend the preconstruction meeting to explain the monitoring requirements.

**TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall attend the preconstruction conference and confirm the attendance of the approved Project Archaeologist.

**DURING CONSTRUCTION:** *(The following actions shall occur throughout the duration of the grading construction).*

**(CULTURAL RESOURCES)**

**CULT#GR-2 ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION [PDS, FEE X2]**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION**

**OF REQUIREMENT:** The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Kumeyaay Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Kumeyaay Native American monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Kumeyaay Native American Monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program. A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in coordination with the Kumeyaay Native American Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- c. If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further

development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

**DOCUMENTATION:** The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PPD] if the Project Archeologist or applicant fails to comply with this condition.

**ROUGH GRADING:** *(Prior to rough grading approval and issuance of any building permit).*

### **(CULTURAL RESOURCES)**

#### **CULT#GR-3 ARCHAEOLOGICAL MONITORING – ROUGH GRADING [PDS, FEE]**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Kumeyaay Native American Monitor must be included in the Negative Monitoring Report.
- b. If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

**DOCUMENTATION:** The applicant shall submit the Archaeological Monitoring Report to the [PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and the culturally-affiliated Tribe. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** The [PPD] shall review the report or field monitoring memo for

compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

***FINAL GRADING RELEASE:*** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

## **(CULTURAL RESOURCES)**

### **CULT#GR-4 ARCHAEOLOGICAL MONITORING – FINAL GRADING [PDS, FEE]**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF**

**REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been curated and/or repatriated as follows:
  - (1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.
  - (2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to the [PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally-affiliated Tribe. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** The [PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

**DURING CONSTRUCTION:** *(The following actions shall occur throughout the duration of the grading construction).*

#### **(NOISE)**

##### **GP1-TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].**

**INTENT:** In order to minimize temporary construction noise for grading operations associated with Grading Plan file 2700-15035. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Minimize the use of back up alarm.
- e. Equipment staging areas should be placed at locations away farthest away from noise sensitive receivers as deemed feasible.
- f. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

**DOCUMENTATION:** The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:**

The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

The undersigned, as the individual(s) with legal authority to fully represent the above-referenced project, concur with the inclusion of the above-listed amendments as conditions of approval of the referenced project.

By:

\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_ (Print Name and Title)